

HB 2429 -- Carbon Monoxide and Smoke Detectors

Sponsor: McClanahan

This bill requires an approved and operational carbon monoxide detector to be installed within 10 feet of each room used for sleeping purposes in every newly constructed residential or rental property, as well as upon the sale of an existing residential leased or rental property or upon any change or renewal of a lease or rental agreement of a rental property where a carbon monoxide hazard may exist. Carbon monoxide detectors must be permanently hardwired into the building's power supply and be equipped with a battery backup in accordance with the current edition of the National Fire Protection Association's Standard for Installation of Carbon Monoxide Warning Equipment in Dwelling Units and the manufacturer's recommendations.

The owner of an existing residential leased or rental property must install at least one approved battery-operated smoke alarm on the ceiling or wall within 10 feet of each room used for sleeping, inside each sleeping room, and on each level within the property including the basement before new tenants move in. The smoke alarm must be capable of sensing visible and invisible particles of combustion, emitting an audible signal that can clearly be heard in all bedrooms over background noise with all doors closed, and emitting a signal when the battery is low.

In newly constructed residential or rental property, smoke alarms must be installed according to the current edition of the National Fire Protection Association's National Fire Alarm Code (NFPA 72) and must receive primary power from the building's wiring with a battery backup. The wiring must be permanent and without a disconnecting switch except as required for over-current protection. All smoke alarms in the property must be interconnected so that one alarm will activate all the alarms.

The owner of rental or leased property must provide and install approved and operational carbon monoxide detectors and smoke alarms in required locations; upon discovery, replace any detectors or alarms that have been stolen, removed, or rendered inoperable; and keep and maintain the devices in good repair. A tenant must immediately report any malfunction or damage of a required alarm to the owner or the owner's assigned agent.

These requirements will not apply to any political subdivision with an equal or more stringent code, ordinance, or regulation.

Any owner who willingly fails to install or maintain the required alarms will be guilty of a class B misdemeanor. Anyone tampering with, removing, destroying, disconnecting, or removing the

batteries from any alarm, except in the course of an inspection, maintenance, or replacement of the alarm, will be guilty of a class A misdemeanor for a first conviction and a class D felony for any subsequent conviction.